

# EXHIBIT 3



**U.S. Department of Justice**

*United States Attorney's Office  
Eastern District of New York*

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*271 Cadman Plaza East  
Brooklyn, New York 11201*

**NOTICE OF RIGHT TO SUE WITHIN 90 DAYS**

October 7, 2019

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Joseph Montaldo  
28 N. Cozine Rd  
Manorville, NY 11949

Re: Montaldo v. Suffolk County Police Department  
EEOC Charge No.: 520-2014-03158

Dear Mr. Montaldo:

This is to inform you that the Equal Employment Opportunity Commission (EEOC) has referred your charge of discrimination against the Suffolk County Police Department to the United States Attorney's Office for the Eastern District of New York after conciliation efforts by the EEOC failed. After careful consideration, this Office has determined that it will not file suit on the above-referenced charge of discrimination. This should not be taken to mean that the United States Attorney's Office has made a judgment as to whether or not your charge is meritorious.

**You are therefore hereby notified that you have the right to institute a civil action under Title I of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12111, et seq., against the above-named respondent. If you choose to commence a civil action, such suit must be filed in the appropriate court within 90 days of your receipt of this Notice.**

If you wish to pursue this matter, you should consult an attorney at your earliest convenience. If you are unable to locate an attorney, you may wish to contact the EEOC or apply to the appropriate court, since that court may appoint an attorney in some circumstances under Section 706(f)(1) of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-5(f)(1), referenced in Section 107(a) of the ADA, 42 U.S.C. § 2117(a).

We are returning the files in this matter to EEOC's District Office. If you or your attorney have any questions concerning this matter or wish to inspect the investigative file, please address your inquiry to the undersigned or to:


Kevin J. Berry  
District Director  
Equal Employment Opportunity Commission  
New York District Office  
33 Whitehall Street, 5<sup>th</sup> Floor  
New York, New York 10004

We are forwarding a copy of this Notice of Right to Sue to the Respondent in this case.

Very truly yours,

RICHARD P. DONOGHUE  
United States Attorney

By:

  
MICHAEL J. GOLDBERGER  
Chief of Civil Rights, Civil Division  
(718) 254-6052

cc: Megan O'Donnell  
Assistant County Attorney  
Suffolk County Department of Law  
H. Lee Dennison Bldg.  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

✓ Steven J. Moser, Esq.  
3 School Street  
Glen Cove, NY 11542